



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/015,816	11/01/2001	Thomas Joshua Shafron	85804-014301	1236
32361	7590	01/19/2006		EXAMINER
GREENBERG TRAURIG, LLP				ROSWELL, MICHAEL
MET LIFE BUILDING				
200 PARK AVENUE			ART UNIT	PAPER NUMBER
NEW YORK, NY 10166			2173	

DATE MAILED: 01/19/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	10/015,816	SHAFRON ET AL.
	Examiner	Art Unit
	Michael Roswell	2173

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### **Status**

1) Responsive to communication(s) filed on 02 November 2005.  
 2a) This action is FINAL. 2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### **Disposition of Claims**

4) Claim(s) 1-24, 59 and 60 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1-24, 59 and 60 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### **Application Papers**

9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### **Priority under 35 U.S.C. § 119**

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### **Attachment(s)**

1) Notice of References Cited (PTO-892)  
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  
 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
 Paper No(s)/Mail Date \_\_\_\_\_.  
 4) Interview Summary (PTO-413)  
 Paper No(s)/Mail Date \_\_\_\_\_.  
 5) Notice of Informal Patent Application (PTO-152)  
 6) Other: \_\_\_\_\_.

**DETAILED ACTION**

***Claim Rejections - 35 USC § 103***

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 1-11, 18-20, 59, and 60 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Application Publication No. 2002/0077978 A1 (O'Leary et al) as applied to claims 1 and 18 above and further in view of U.S. Patent Application Publication No. 2002/00623342 A1 (Sidles).

Referring to claims 1 and 18, O'Leary discloses in paragraphs 18-33 a method and system for facilitating on-line shopping at a supported merchant web site, the shopper having a computer with an Internet browser installed thereon. O'Leary further discloses in paragraphs 138 and 139 the step of communicating code to add a shopping assistant button to a toolbar of the Internet browser. O'Leary next discloses in paragraph 52 that a wallet is created for the shopper in a database on a server. In paragraph 80, O'Leary explains that the wallet is secured by a first security key (password) previously received from the shopper. O'Leary further explains in this section that each time the user attempts to access the wallet, he or she must enter a user ID and password (second security key) to properly authenticate the user. Upon authentication, O'Leary discloses in paragraphs 80 and 81 that the wallet is communicated to the user's computer. O'Leary, however, fails to explicitly teach communicating computer code for determining if a merchant web site is a supported merchant web site. Sidles discloses in paragraphs 55-58 a method and system for automatically filling out a check-out web page of a

supported merchant. In paragraphs 61-64, Sidles teaches a supported merchant rules and mapping file that is used to perform said filling out. Paragraph 79 discloses associating a verified secure web address with a known form, and automatically filling in the form based on pre-set rules. Sidles explains in paragraph 17 that his invention is advantageous because it "enables users to fill in data forms quickly and efficiently", "eliminates the necessity of manually establishing a directory of merchant forms", and "can fill forms from both known sites and completely new sites." Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use Sidles' supported merchant rules and mapping file in combination with the invention of O'Leary for at least the advantages identified by Sidles.

Referring to claims 2 and 20, O'Leary discloses in paragraph 53 that the wallet "performs all of the conventional (e.g., form filling) functions of a traditional wallet". O'Leary further explains in paragraphs 55 and 56 that the wallet stores "Form filling information such as credit card numbers, debit card numbers, shipping addresses, alternate shipping addresses, frequent flyer accounts, membership discounts (e.g., AAA, AARP), loyalty programs and e-mail addresses", and using this information the wallet "automatically fills in electronic merchant purchase forms with the user's shipping address, e-mail address, discount numbers, etc.". O'Leary, though, fails to specifically disclose utilizing a supported merchant rules and mapping file. Sidles, however, discloses in paragraphs 55-58 a method and system for automatically filling out a check-out web page of a supported merchant and further discloses in paragraphs 61-64 a supported merchant rules and mapping file that is used to perform said filling out. Sidles explains in paragraph 17 that his invention is advantageous because it "enables users to fill in data forms quickly and efficiently", "eliminates the necessity of manually establishing a directory of merchant forms", and "can fill forms from both known sites and completely new

sites." Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use Sidles' supported merchant rules and mapping file in combination with the invention of O'Leary for at least the advantages identified by Sidles.

Referring to claim 3, O'Leary discloses in paragraph 55 that the shopping assistant comprises a pull-down menu. While O'Leary fails to explicitly teach the shopping assistant button comprising a pull-down menu, the combination of a toolbar button and a pull-down menu is notoriously well-known in the art, and often found in a wide range of applications, from word processors to e-mail clients to web browsers. The Examiner takes OFFICIAL NOTICE of these teachings. Therefore, it would have been obvious to one of ordinary skill in the art to combine the downloaded button of O'Leary to include the pull-down menus taught by O'Leary, for the advantage of a compact interface and ease of use.

Referring to claim 4, O'Leary discloses in paragraph 139 that a web page is communicated to the Internet browser, the shopper enters shopper data on the web page, and the shopper data is stored as a wallet in the database on the server.

Referring to claim 5, O'Leary fails to disclose monitoring the Internet navigation of the Internet browser by intercepting an Internet address for each Internet site to which the Internet browser is caused to navigate. Sidles, however, discloses in paragraphs 53 and 54 a method for intercepting the address to which an Internet browser is caused to navigate. Sidles does this while providing automatic fill in capabilities. According to paragraph 17, Sidles invention advantageously "preserves the privacy of the individual user by keeping personal information, credit card information, and the like safe and under the control of the user or the user's trusted

service provider.” Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to intercept the address to which an Internet browser is caused to navigate as taught by Sidles in combination with the teachings of O’Leary for at least the advantages identified by Sidles.

Referring to claim 6, O’Leary fails to specifically disclose utilizing a supported merchant rules and mapping file. Sidles, however, discloses in paragraphs 55-58 a method and system for automatically filling out a check-out web page of a supported merchant and further discloses in paragraphs 61-64 a supported merchant rules and mapping file that is used to perform said filling out. Sidles explains in paragraph 17 that his invention is advantageous because it “enables users to fill in data forms quickly and efficiently”, “eliminates the necessity of manually establishing a directory of merchant forms”, and “can fill forms from both known sites and completely new sites.” Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use Sidles’ supported merchant rules and mapping file in combination with the invention of O’Leary for at least the advantages identified by Sidles.

Referring to claim 7, Sidles teaches communicating a supported merchant data file at paragraph 79, in the form of a dictionary database used to associate rules and forms with web addresses.

Referring to claim 8, Sidles discloses in paragraph 64 comparing the supported merchant data file with an Internet address for each Internet site to which the Internet browser is caused to navigate.

Referring to claim 9, while O'Leary and Sidles fail to explicitly teach the shopping assistant button further providing an indicator when the Internet browser is caused to navigate to a supported merchant web site, the providing of indicators for communicating to a user what functions are available are notoriously well known in the art, by such means as the graying out of menu items or the change in contrast of an icon. The Examiner takes OFFICIAL NOTICE of these teachings. Therefore, it would have been obvious to one of ordinary skill in the art to indicate visually to a user the availability of functions provided by a wallet button, so as to easily keep the user aware of current interface options.

Referring to claim 10, O'Leary fails to disclose intercepting each web page received by the browser and determining the type of web page by HTML code and http request headers provided in the intercepted web page. As discussed above, to the examiner's knowledge web pages do not comprise http request headers and the specification has not provided any teachings to the contrary. It is certainly plausible, though, that the type of a web page could be determined by the HTML code provided in the intercepted web page. Sidles discloses in paragraphs 55-58 a method for intercepting a web page and determining its type based on HTML code. This is an inherent step in automatic form filling. Sidles' system must at the very least determine whether or not the intercepted web page comprises fields for profile data or non-profile data as detailed in paragraph 58. It thus would have been obvious to one of ordinary skill in the art at the time the invention was made to intercept a web page and determine its type based on HTML code as taught by Sidles in combination with the teachings of O'Leary because doing so advantageously allows a form filling system to properly identify the appropriate data fields and fill them accordingly.

Referring to claim 11, O'Leary fails to disclose communicating a secure cookie to the computer. Sidles, however, discloses in paragraphs 95-99 a method for communicating secure cookies to a user's computer so that the user need not provide a user name and password each time a form on a secure page is to be automatically filled. Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to communicate a secure cookie to the user's computer as taught by Sidles in combination with the teachings of O'Leary so that the user need not provide a user name and password each time a form on a secure page is to be automatically filled as taught by Sidles.

Referring to claim 19, O'Leary discloses in paragraph 54 that the user's log-in to the server is secure and encrypted to protect the confidentiality of financial information.

Referring to claim 59, Sidles teaches a merchant data file comprising supported merchant rules and mapping information, at paragraphs 61-64.

Referring to claim 60, O'Leary discloses in paragraphs 18-33 a method and system for facilitating on-line shopping at a supported merchant web site, the shopper having a computer with an Internet browser installed thereon. O'Leary further discloses in paragraphs 138 and 139 the step of communicating code to add a shopping assistant button to a toolbar of the Internet browser. O'Leary next discloses in paragraph 52 that a wallet is created for the shopper in a database on a server. In paragraph 80, O'Leary explains that the wallet is secured by a first security key (password) previously received from the shopper. O'Leary further explains in this section that each time the user attempts to access the wallet, he or she must enter a user ID and password (second security key) to properly authenticate the user. Upon authentication,

O'Leary discloses in paragraphs 80 and 81 that the wallet is communicated to the user's computer. O'Leary, however, fails to explicitly teach communicating computer code for determining if a merchant web site is a supported merchant web site. Sidles discloses in paragraphs 55-58 a method and system for automatically filling out a check-out web page of a supported merchant. In paragraphs 61-64, Sidles teaches a supported merchant rules and mapping file that is used to perform said filling out. Paragraph 79 discloses associating a verified secure web address with a known form, and automatically filling in the form based on pre-set rules. Sidles explains in paragraph 17 that his invention is advantageous because it "enables users to fill in data forms quickly and efficiently", "eliminates the necessity of manually establishing a directory of merchant forms", and "can fill forms from both known sites and completely new sites." Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use Sidles' supported merchant rules and mapping file in combination with the invention of O'Leary for at least the advantages identified by Sidles. Furthermore, while O'Leary and Sidles fail to explicitly teach the shopping assistant button further providing an indicator when the Internet browser is caused to navigate to a supported merchant web site, the providing of indicators for communicating to a user what functions are available are notoriously well known in the art, such as the graying out of menu items or the change in contrast of an icon. The Examiner takes OFFICIAL NOTICE of these teachings. Therefore, it would have been obvious to one of ordinary skill in the art to indicate visually to a user the availability of functions provided by a wallet button, so as to easily keep the user aware of current interface options.

Claims 12-14, 16, 17, 21, 23, and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Application Publication No. 2002/0077978 A1 (O'Leary et al) and U.S. Patent Application Publication No. 2002/00623342 A1 (Sidles).

Referring to claims 12 and 21, O'Leary discloses in paragraphs 138 and 139 an Internet browser interface displayable by an Internet browser on a computer display comprising a toolbar and a shopping assistant button in said toolbar and defined by computer code operable with a processor of the computer. O'Leary discloses in paragraph 53 that the wallet (shopping assistant) "performs all of the conventional (e.g., form filling) functions of a traditional wallet". O'Leary further explains in paragraphs 55 and 56 that the wallet stores "Form filling information such as credit card numbers, debit card numbers, shipping addresses, alternate shipping addresses, frequent flyer accounts, membership discounts (e.g., AAA, AARP), loyalty programs and e-mail addresses", and using this information the wallet "automatically fills in electronic merchant purchase forms with the user's shipping address, e-mail address, discount numbers, etc.". O'Leary, though, fails to specifically disclose intercepting an Internet address for each Internet site to which the Internet browser is caused to navigate, determining if a web site to which the Internet browser is caused to navigate is a supported merchant web site, and if the web site is a supported merchant web site, performing the automatic filling using a supported merchant rules and mapping file. Sidles, however, discloses in paragraphs 53 and 54 a method for intercepting the address to which an Internet browser is caused to navigate. Sidles does this while providing automatic fill in capabilities. Sidles further discloses in paragraph 64 the step of determining if a web site is a supported merchant web site. Finally, Sidles discloses in paragraphs 55-58 and 61-64 a method and system for automatically filling out a check-out web page of a supported merchant using a supported merchant rules and mapping file. According to paragraph 17, Sidles invention advantageously "preserves the privacy of the individual user by

keeping personal information, credit card information, and the like safe and under the control of the user or the user's trusted service provider." Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to intercept the address to which an Internet browser is caused to navigate as taught by Sidles in combination with the teachings of O'Leary for at least the advantages identified by Sidles.

Referring to claims 13 and 24, Sidles discloses in paragraph 64 comparing the supported merchant data file with an Internet address for each Internet site to which the Internet browser is caused to navigate.

Referring to claim 14, O'Leary discloses in paragraph 55 that the shopping assistant comprises a pull-down menu.

Referring to claims 16 and 23, O'Leary discloses in paragraph 52 that the user can launch the wallet interface by selecting a wallet icon at the merchant's web site. The wallet icon thus indicates that the merchant is supported.

Referring to claim 17, O'Leary fails to disclose intercepting each web page received by the browser and determining the type of web page by HTML code and http request headers provided in the intercepted web page. As discussed above, to the examiner's knowledge web pages do not comprise http request headers and the specification has not provided any teachings to the contrary. It is certainly plausible, though, that the type of a web page could be determined by the HTML code provided in the intercepted web page. Sidles discloses in paragraphs 55-58 a method for intercepting a web page and determining its type based on

HTML code. This is an inherent step in automatic form filling. Sidles' system must at the very least determine whether or not the intercepted web page comprises fields for profile data or non-profile data as detailed in paragraph 58. It thus would have been obvious to one of ordinary skill in the art at the time the invention was made to intercept a web page and determine its type based on HTML code as taught by Sidles in combination with the teachings of O'Leary because doing so advantageously allows a form filling system to properly identify the appropriate data fields and fill them accordingly.

Claims 15 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Application Publication No. 2002/0077978 A1 (O'Leary et al) and U.S. Patent Application Publication No. 2002/00623342 A1 (Sidles) as applied to claims 12 and 21 above, and further in view of "Band Objects" (Microsoft).

Referring to claims 15 and 22, O'Leary discloses adding a shopping assistant to a toolbar in an Internet browser interface as discussed above, but neither O'Leary nor Sidles discloses adding a toolbar to the Internet browser interface. The "Band Objects" reference supplied on sheet 7 of Applicant's IDS filed 20 February 2004 discloses means for adding toolbars to an Internet browser interface. Microsoft explains in this reference that Explorer Bands contain information or supply tools that are helpful to the user while using the browser. Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to add a new toolbar as taught by Microsoft in combination with the shopping assistant teachings of O'Leary and Sidles. Doing so would have been advantageous because it would have guaranteed a place in the browser interface for the shopping assistant if one had not already existed.

***Response to Arguments***

Applicant's arguments filed 2 November 2005 have been fully considered but they are not persuasive.

In response to Applicant's argument that Sidles does not teach determining if a merchant web site is a supported merchant web site, the Examiner respectfully disagrees. As can be seen in paragraph 79, Sidles uses a dictionary database that associates a current web address with stored rules and forms for that address, allowing quicker data entry for those forms relating to a familiar or "supported" web address.

In response to Applicant's argument that Sidles fails to teach "communicating computer code ... for determining if a merchant web site is a supported merchant web site", the Examiner respectfully disagrees. The claimed limitation "communicating computer code", in failing to be explicitly defined by the claims, is open to the broadest reasonable interpretation by the Examiner. As shown above, Sidles teaches the use of a computer program for determining if a merchant web site is a supported merchant web site. Thus, it is inherent that the computer code used in such a determination has been necessarily communicated, whether to a computer-readable storage medium, or to the CPU for execution.

Applicant's arguments with respect to claims 3 and 9 are moot based on a new grounds of rejection.

***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Roswell whose telephone number is (571) 272-4055. The examiner can normally be reached on 8:30 - 6:00 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on (571) 272-4048. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Michael Roswell  
1/12/2006

CAO (KEVIN) NGUYEN  
PRIMARY EXAMINER

